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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/729,685	12/05/2003	Dejan Radosavljevic	905-191	4574
44564	7590	10/17/2006	EXAMINER	
BOND, SCHOENECK & KING, PLLC 10 BROWN ROAD, SUITE 201 ITHACA, NY 14850-1248			BENENSON, BORIS	
			ART UNIT	PAPER NUMBER
			2836	

DATE MAILED: 10/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/729,685	RADOSAVLJEVIC ET AL.	
	Examiner	Art Unit	
	Boris Benenson	2836	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-50 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 26-46 is/are allowed.
- 6) ☐ Claim(s) 1-2, 5-15, 19-25 and 47-50 is/are rejected.
- 7) ☐ Claim(s) 3,4 and 16-18 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 July 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>7/11/2006</u> . | 6) <input type="checkbox"/> Other: _____ |

Detailed Actions

1. Amendment received on 7/11/2006 is entered.

Amended drawings (Figs 1-9) are entered.

Previously indicated objections to the Drawings are withdrawn.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the device that "moves the first shutter blade member and the second shutter blade member toward one another" as it required by Claim 7 and a device wherein "the protective shutter mechanism comprises a third slide assembly configured to correspond a receptacle opening for a plug ground contact blade" as it required by Claim 19 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the

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appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

3. The disclosure is objected to because of the following informalities: the flexible membrane (Fig. 7, Pos. 200) is indicated as "a flexible membrane 200" (Page 12, Line 18) and as "the flexible membrane 100" (Page 12, Line 19). Appropriate correction is required.

Response to the arguments

4. Applicants argue referring to Claim 1, that references Short (4,867,694) in view of Brenner (3,845,234) do not teach all the claim limitations. Short disclosed a Safety Electrical

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Receptacle comprising a receptacle member including a housing (Fig. 3, Pos. 18) with a cover-front wall of the housing (Pos.20) with slots (Fig. 1, Pos. 22, 24, and 26) to accommodate plug contact blades. A protective shutter mechanism (Pos. 32) is integrated into housing and is movable from closed position to open position upon insertion of the plug contact blades (Pos. 28, 30). Short didn't disclose a separate cover that includes a receptacle opening configured to accommodate plug contact blades. Argument is convincing.

5. Applicants argue that one skilled in the art will not be motivated to combine an exterior gasket of Brenner with a shuttered safety receptacle. The argument has been considered and found to be not convincing.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this

Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

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6. Claims 1, 5-15, 23-25, and 47-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bowden Jr. (5,006,075) in view of Brenner (3,845,234). Bowden disclosed an Electrical Receptacle With Shuttered Prong-Receiving Opening. The receptacle comprises a base read on housing (Fig.1, Pos. 10) and a cover (Pos. 14). The cover includes receptacle openings (Pos. 24, 26, 28, and 30) configured to accommodate plug contact blades. Receptacle contacts are located inside the housing and are in communication with a corresponding receptacle opening. A protective shutter mechanism (Pos. 22) is integrated into the housing. The protective shutter mechanism covered receptacle contacts in a closed position and not movable from the closed position to an open position upon of an object into one receptacle opening. Bowden didn't disclose the protective shutter mechanism been substantially sealed. Brenner teaches a Means For Protecting Electrical Receptacles, comprising a gasket read on a membrane (Figs.1 and 2, Pos. 8). Brenner teaches "The gasket is preferably made of rubber or equivalent material having good self sealing characteristics so that when the plug is removed from the socket the apertures will be protected from the entry of foreign materials, such as, rain, dust, dirt, and will discourage children from inserting anything into the live receptacle"(Col.2, Lines 8-15). It would have been obvious to

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one of ordinary skill in the art at the time the invention was made to have modified the receptacle of Bowden with teachings of Brenner and install into the receptacle a sealing gasket with sealable openings for inserting the plug, because as teaches Brenner it will protect the receptacle from foreign materials, such as, rain, dust and dirt.

Referring to Claims 5-15, the protective shutter mechanism of Bowden (Figs. 2-3) comprises "a support frame, termed a spacer element 32, and first, second and third shutter elements 34, 36 and 38, respectively" (Col.3, Lines 40-41). The first and second shutter elements read on slide assembly coupled to the frame member are disposed spaced apart in closed position and configure to simultaneously slide together when moved from the closed position to the open position. The first slide assembly (34) includes a first blocking member read on a first shutter blade member (Figs. 5a-5f, Pos. 66). The second slide assembly (36) includes a second blocking member read on a second shutter blade (Figs. 6a-6f, Pos. 72). The first and second blocking members are blocking (sealing) a first and second apertures therefore blocking the object from entering a receptacle opening. Only upon simultaneous insertion both blades of the plug the first and second blocking member slide simultaneously into the open position. A spring (Fig. 3, Pos. 106) is coupling

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the first shutter blade member (Pos. 34) to the frame (Pos. 32). The spring is in compression in both closed and open positions. Both blocking members comprising pins (64c and 70c) to accommodate first ends of spring elements (106, 108).

7. Claim 2, 20-22 and 49-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bowden, Jr. (5,006,075) in view of Brenner (3,845,234) and Finlay (6,587,319). Bowden in view of Brenner disclose all the limitation of Claim 1, as it was discussed above, but didn't disclose a mis-wiring sensor configured to sense a proper wiring. in view of Brenner did not disclose also a fault detection circuit disposed on a circuit board being configured to detect a fault condition and disconnect the power source from at least one receptacle. Finlay teaches a Ground Fault Circuit Interrupter With Indicator Lamp that includes a mis-wiring detection, a ground fault detection arc fault detection, and disconnection the power source from the receptacles. Finlay teaches a test button read on a manually operable assembly that is accessible to a user to test/reset the interrupter. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified and include miswiring sensor according to Finlay's teachings, because it will provide addition protection for the receptacle and attached circuitry. It would have been obvious to one of

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ordinary skill in the art at the time the invention that an arm that would connect the test button of Finlay with contact (Fig.1, Pos. 130) should be sealed similar to all other elements.

Allowable Subject Matter

8. Claims 26-46 are allowed.

9. Claims 3-4, 16-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is an examiner's statement of reasons for allowance:

10. Independent Claim 26 is allowable because none of the prior art of record disclose a protection device configured to protect a portion of a power distribution system from a fault condition wherein a mis-wiring sensor actuate a protective shutter mechanism from a locked state to an unlocked state in response to detecting the proper wiring condition in combination with the other claim limitations.

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11. Claims 3-4 and 16-18 would be allowable because none of the prior art of record disclose a protection device configured to protect a portion of a power distribution system from a fault condition wherein a mis-wiring sensor prevent/allow a protective shutter mechanism to move from a locked state to an unlocked state if the proper wiring condition is not sensed or sensed in combination with the other claim limitations.

Contact information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Boris Benenson whose telephone number is (571) 272-2048. The examiner can normally be reached on M-F (8:20-6:00) First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Sircus can be reached on (571) 272-2800 ext 36. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

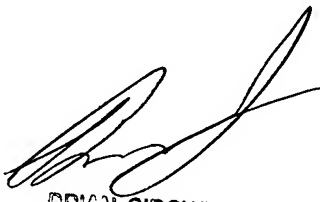
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status

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Boris Benenson
Examiner
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B.B.



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